

REMARKS

Claims 1-41 remain pending in this case and stand rejected pursuant to 35 U.S.C. 102(b) (applicant believes the reference in paragraph No. 3 to section 102(e) is a typographical error since the Examiner has quoted section 102(b)) as being anticipated by the book entitled "NETCENTRIC AND CLIENT/SERVER COMPUTING A PRACTICAL GUIDE" by Mark Goodyear; Hugh W. Ryan; Scott R. Sargent; Stanton J. Taylor; Timothy M. Boudreau; Yannis S. Arvanitis; Richard A. Chang; John K. Kaltenmark; Nancy K. Mullen; Shari L. Dove; Michael C. Davis; John C. Clark; and Craig Mindrum, hereinafter referred to as "The Book". Applicant respectfully traverses these rejections, because "The Book" is not prior art under 35 USC 102(b).

As disclosed in the Remarks provided with the Request for Continued Examination filed via express mail on March 15, 2004, and the affidavit of Applicant Stanton J. Taylor that was attached thereto, The Book was first published on December 18, 1998. The present application was filed on September 29, 2000 and, pursuant to 35 USC 119(e), claims the benefit of US provisional patent application serial No. 60/156,962, which was filed on October 1, 1999. Accordingly, the effective filing date of the present application is October 1, 1999. The affidavit of Applicant Stanton J. Taylor further indicates that The Book was filed as US provisional patent application serial No. 60/156,962. Since The Book was not published more than one year prior to the effective date of application for patent in the United States of the present application, The Book is not prior art pursuant to 35 USC 102(b). Accordingly, Applicant respectfully requests removal of the 35 U.S.C. 102(b) rejection of claims 1-41.

Applicant has further noted in the Office Action mailed May 21, 2004, that the Examiner has indicated that the priority date of provisional patent application 60/156,962 filed on October 1, 1999 has not been granted. Applicant believes this to be a typographical error that should indicate the priority date of the provisional patent application has been granted. Applicant's belief is based on proper cross-reference to the provisional application, common inventorship with the provisional application, and indication by the Examiner in the Office Action that "the information referred to therein [, the provisional application 60/156,962,] is supported by the invention as claimed." Accordingly, Applicant requests that the Examiner officially acknowledge the claim to priority.

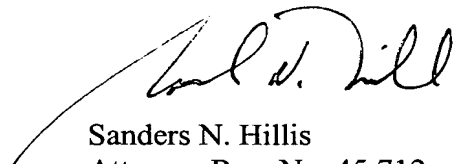
The Examiner has also indicated that the Applicant is required to furnish formal drawings. As Applicant pointed out in previous responses, Applicant respectfully believes that formal drawings were filed with this application at the time of filing and that the drawings as filed are correct. In addition, Applicant notes that as of today's date, Applicant has not received a Notice of Draftsperson's Patent Drawing Review (PTO-948) form indicating that any changes need to be made to the drawings as filed. Applicant is unaware of what problems, if any, there are with the drawings as originally filed. Nonetheless, to expedite a Notice of Allowance, Applicant provides herewith a full set of formal drawings, which are identical to the original formal drawings as filed with the application, and thus do not contain new matter.

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Response to Office Action mailed May 21, 2004

Filing Date: September 29, 2000

Applicant believes that all the present pending claims of this application are allowable and respectfully requests the Examiner to issue a Notice of Allowance for this application indicating the same. In the event a telephone conversation would help expedite the prosecution of this application, the Examiner may reach the undersigned at (317) 636-0886. No additional fees are believed to be required at this time. However, should any additional fees be deemed necessary, please charge such fees to Deposit Account No. 23-1925.

Respectfully submitted,



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